

CERTIFICATE OF EFS FILING UNDER 37 CFR §1.8

I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office, Commissioner for Patents, via the EFS pursuant to 37 CFR §1.8 on the below date:

Date: APRIL 14, 2009 Name: Bryan L. Skelton

Signature: 

BRINKS
HOFER
GILSON
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Sebastian KOLTZENBURG et al.

Attorney Docket No. 13779-64

U.S. Application No.: 10/576,921

Group Art Unit: 1615

Filing or 371(c) Date: January 17, 2007

Examiner: Woodward, Michael P.

Title: Nanoparticulate Active Substance
Formulations

Confirmation No.: 9858

TRANSMITTAL

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached is/are:

- Transmittal Letter (1 page);
- Second Information Disclosure Statement Pleadings (2 pages); and
- Second Information Disclosure Statement.

Fee calculation:

- No additional fee is required.
- Small Entity.
- An extension fee in an amount of \$ _____ for a _____-month extension of time under 37 CFR § 1.136(a).
- A petition or processing fee in an amount of \$ _____ under 37 CFR § 1.17(______).

Fee payment:

- Please charge Deposit Account No. 23-1925 in the amount of \$ _____ for _____.
- Payment by credit card in the amount of \$ _____ (Form PTO-2038 is attached).
- The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

2801 Slater Road, Suite 120
Morrisville, NC 27560-8477
Phone: 919.481.1111

Respectfully submitted,

BRINKS HOFER GILSON & LIONE

APRIL 14, 2009
Date


Bryan L. Skelton
Registration No. 50,893

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Sebastian KOLTZENBURG et al.

U.S. Application No.: 10/576,921

Group Art Unit: 1615

Filing or 371(c) Date: January 17, 2007

Examiner: Woodward, Michael P.

Title: Nanoparticulate Active Substance
Formulations

Confirmation No.: 9858

SECOND INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, Applicants hereby submit the following information in conformance with 37 C.F.R. §§ 1.97 and 1.98. A copy of each of the documents cited and required by 37 C.F.R. § 1.98 is enclosed.

Applicants point the Examiner's attention to co-pending U.S. Patent Application No. 12/443,921 (based on PCT/EP2007/050553; WO 2008/040786), filed April 1, 2009 and U.S. Patent Application Publication No. 2008/0287593 (based on 11/628,609, filed December 5, 2006) and their respective file histories.

To assist the Examiner, the documents are listed on the attached form PTO/SB/08. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

The cited documents are being submitted within three (3) months of the filing or entry of the national stage of this application or before the first Office Action on the merits, whichever is later. Since these documents are being filed within the time period set forth in 37 C.F.R. § 1.97(b), no fee or statement is required.

The Director is hereby authorized to charge any appropriate fees that may be required by this paper, and to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

BRINKS HOFER GILSON & LIONE

Date: APRIL 14, 2007

By: 

Bryan L. Skelton
Registration No. 50,893

2801 Slater Road, Suite 120
Morrisville, NC 27560
919.481.1111
674908v1